

SECOND REGULAR SESSION

# SENATE BILL NO. 1270

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR YECKEL.

Read 1st time February 18, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To amend chapter 307, RSMo, by adding thereto eleven new sections relating to motor scooters, with penalty provisions.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 307, RSMo, is amended by adding thereto eleven new sections, to be known as sections 307.225, 307.227, 307.229, 307.231, 307.233, 307.235, 307.237, 307.239, 307.240, 307.241, and 307.243, to read as follows:

**307.225.** As used in sections 307.225 to 307.243, the term "motor scooter" shall mean a device with two tandem wheels, one which has a brake, that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an electric motor or internal combustion engine that is capable of propelling the device with or without human propulsion at a speed no greater than twenty-five miles per hour on a level road.

**307.227.** An operator of a motor scooter upon a public way is subject to the provisions applicable to, and has the same rights and duties as the operator of any other vehicle operating on highways as provided by chapter 304, RSMo, except to those provisions that by their very nature can have no application.

**307.229.** No driver's license shall be required to operate a motor scooter.

**307.231.** No person shall operate a motor scooter at a speed greater than is reasonable and prudent under the existing conditions nor shall such operator exceed the legal speed limit for the roadway while riding upon the roadway. In no case shall the operator of a motor scooter operate such device at a speed greater than thirty miles per hour.

**307.233.** A motor scooter shall have at least one caliper, disk, or drum brake on at least one wheel, which is able to cause the tire to skid on a dry, level, paved surface from a speed of approximately ten miles per hour. A motor scooter with an internal combustion engine shall have a functionally effective muffler as

original equipment or an original equipment manufacturer replacement part; provided that any replacement muffler shall not cause the engine to make more noise than it did when it was originally manufactured.

307.235. Every motor scooter when in use at nighttime shall be equipped with and shall use a lamp on the front which emits a white light visible from a distance of at least five hundred feet to the front and with a red, white or yellow reflector on the rear of a type which is visible from all directions from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

307.237. No person under seventeen years of age shall operate or be a passenger on a motor scooter unless the operator or passenger wears protective headgear which properly fits and is fastened securely upon the head of the operator or passenger. The headgear shall meet or exceed the impact standard for protective bicycle helmets set by the U.S. Consumer Products Safety Commission, the American National Standards Institute (ANSI), the Snell Memorial Foundation or the American Society of Testing and Materials (ASTM).

307.239. Any person operating a motor scooter shall obey the instructions of official traffic control devices applicable to vehicles, unless otherwise directed by a law enforcement officer.

307.240. Any municipality or county shall have the authority to impose additional regulations on the operation of motor scooters which are consistent with the provisions of sections 307.225 to 307.243, however no county or municipality may ban or prohibit the operation of motor scooters in their entirety.

307.241. Every person operating a motor scooter, upon a highway, roadway or alleyway shall ride as near to the right side of the highway, roadway or alleyway as practicable and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.

307.243. Any violation of the provisions of sections 307.225 to 307.243 shall be deemed a class C misdemeanor.